IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

WP(C).No. 11131 of 2007(A)

PETITIONERS:

---

1. JANARDHANAN, SENIOR SUPERVISOR,
   WAYANAD PRIMARY CO-OPERATIVE AGRICULTURAL
   AND RURAL DEVELOPMENT BANK LIMITED NO. LL 230,
   PANAMARAM, WAYANAD.

2. JAYACHANDRAN, SENIOR SUPERVISOR,
   WAYANAD PRIMARY CO-OPERATIVE AGRICULTURAL
   AND RURAL DEVELOPMENT BANK LIMITED NO. LL 230,
   PANAMARAM, WAYANAD.

3. VIJAYAN, JUNIOR SUPERVISOR,
   WAYANAD PRIMARY CO-OPERATIVE AGRICULTURAL
   AND RURAL DEVELOPMENT BANK LIMITED NO. LL 230,
   PANAMARAM, WAYANAD.

4. SHIBU MATHEW, ACCOUNTANT,
   WAYANAD PRIMARY CO-OPERATIVE AGRICULTURAL
   AND RURAL DEVELOPMENT BANK LIMITED NO. LL 230,
   PANAMARAM, WAYANAD.

5. JALAJA.L., CASHIER,
   WAYANAD PRIMARY CO-OPERATIVE AGRICULTURAL
   AND RURAL DEVELOPMENT BANK LIMITED NO. LL 230,
   PANAMARAM, WAYANAD.

6. K.A.ABDUL AZEEZ, RECORD KEEPER,
   WAYANAD PRIMARY CO-OPERATIVE AGRICULTURAL
   AND RURAL DEVELOPMENT BANK LIMITED NO. LL 230,
   PANAMARAM, WAYANAD.

7. P.BHASKARAN, PEON,
   WAYANAD PRIMARY CO-OPERATIVE AGRICULTURAL
   AND RURAL DEVELOPMENT BANK LIMITED NO. LL 230,
   PANAMARAM, WAYANAD.

8. M.A.CHACKO, PEON,
WAYANAD PRIMARY CO-OPERATIVE AGRICULTURAL
AND RURAL DEVELOPMENT BANK LIMITED NO. LL 230,
PANAMARAM, WAYANAD.

9. V.RAJENDRAN, PEON,
WAYANAD PRIMARY CO-OPERATIVE AGRICULTURAL
AND RURAL DEVELOPMENT BANK LIMITED NO. LL 230,
PANAMARAM, WAYANAD.

BY ADV. SRI.P.C.SASIDHARAN

RESPONDENTS:
---

1. STATE OF KERALA, REPRESENTED BY
ITS SECRETARY, CO-OPERATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. REGISTRAR OF CO-OPERATIVE SOCIETIES,
OFFICE OF THE REGISTRAR OF CO-OPERATIVE
SOCIETIES, THIRUVANANTHAPURAM.

3. KERALA STATE CO-OPERATIVE AGRICULTURAL
AND RURAL DEVELOPMENT BANK LIMITED,
THIRUVANANTHAPURAM.

4. SULTHAN BATHERY PRIMARY CO-OPERATIVE
AGRICULTURAL AND RURAL DEVELOPMENT BANK LIMITED
NO.225, SULTHAN BATHERY P.O., WAYANAD DISTRICT,
REPRESENTED BY ITS PRESIDENT.

BY SR.GOVT.PLEADER SRI.P.N.SANTHOSH
BY STANDING COUNSEL SRI.T.R.HARIKUMAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

W.P(C) NO. 11131 OF 2007 A

Dated this the 30th day of March, 2007

J U D G M E N T

The petitioners are employees of the Wayanad Primary Co-operative Agricultural and Rural Development Bank Limited No.LL 230 which is a primary credit society affiliated to the Kerala State Co-operative Agricultural and Rural Development Bank Limited. The area of operation of the Bank comprises of Mananthawady and Sulthan Bathery Taluks of Wayanad District comprising of 15 Panchayaths. In 1997, permission was granted to start another primary society by name, Sulthan Bathery Primary Co-operative Agricultural and Rural Development Bank Limited with the area of operation of the Bank as Sulthan Bathery Taluk in which the petitioners are employees. The area of operation of the new Bank comprises of 8 Panchayaths out of 15 Panchayaths which were originally the area of operation of the Bank in which the petitioners are employees. The contention of the petitioners is that while granting affiliation to the new Bank, carving out the major area of operation of existing Bank, there should have been

simultaneous orders for transfer of proportionate assets and liabilities and employees of the existing society to the new society for which according to them, there are provisions under the Co-operative Societies Act and rules framed thereunder. But the authorities under the Kerala Co-operative Societies Act and Rules are not taking any steps. It is under the said circumstances that the petitioners have approached this Court. However, for the present, the petitioners would be satisfied with a direction to the third respondent to consider and pass appropriate orders on Ext.P2 representation filed by the petitioners, as expeditiously as possible.

2. I have heard learned counsel for the petitioner as also the learned Government Pleader appearing on behalf of respondents 1 and 2 and Standing Counsel appearing for the third respondent.

3. In the facts and circumstances of the case, I direct the third respondent to consider and pass appropriate orders on Ext.P2, as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a

copy of this judgment after affording an opportunity of being heard to all parties who are likely to be affected by the orders to be passed on Ext.P2.

The writ petition is disposed of as above.

Sd/-

S.SIRI JAGAN,

Judge

Mbs/ -TRUE COPY-

P.A.TO JUDGE.

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:13-02-2007